

**Weekly Report**  
**Special Enforcement Area**  
**August 22– 28, 2003**

**Monroe County**

On August 21, Officers Martin Messier and James Johnson were involved in an interagency attempt to locate drug smugglers. Officer Messier, while talking to FDLE agents in Big Pine Key, learned they were BOLOing for suspected drug smugglers traveling in a black jeep with known Georgia registration. After a short while, Officer Messier departed from a side road and as he entered onto U. S. Highway One, the suspect vehicle passed directly in front of him. He immediately made notification of his situation and maintained observation of the vehicle while continuing to follow southbound on U. S. Highway One. The FDLE agents in two unmarked units requested the assistance of FWC in marked patrol units in order to conduct the stop. Both officers coordinated their efforts to avoid alerting the suspects of their presence. They deployed evasive tactical maneuvers feigning departing U. S. Highway One but returning to reacquire surveillance of the southbound vehicle. At one point the suspect vehicle was spooked and pulled into the Circle K in Big Coppitt Key. At that point, all the officers surrounded the vehicle and the passenger jumped out and fled on foot. By then, Monroe County Deputies had been alerted and the fleeing suspect was captured. The vehicle managed to maneuver around the police vehicles and escaped, continuing southbound at a high rate of speed. Deputies were notified and were standing by the Cow Key Channel Bridge prepared to deploy road spikes in order to stop the vehicle. One deputy initiated a rolling roadblock and the operator of the vehicle slowed down enough to throw a large, clear, baggie containing a white substance over the bridge into Boca Chica Channel. While FDLE agents and deputies secured the scene, Officers Messier and Johnson deployed a patrol vessel and recovered the package that contained cocaine from Boca Chica Channel. Recovery of the large quantity of cocaine was essential to FDLE agents making the case. After the stop occurred the driver attempted to destroy residual evidence on his person and in the vehicle by flushing himself and the vehicle with a bottle of Clorox that he conveniently had on hand. The subjects were arrested by FDLE.

Earlier the same evening, Officer Messier also assisted Monroe County Deputies' call for immediate assistance in an incident involving a street fight near the Big Pine Swimming Hole. The officer assisted deputies where a 33 year old was arrested for felony battery and assault. The man already has an extensive criminal history through four states.

FWC Officers Heather Thieman, Jason Reiff, and Sanctuary Lieutenant Andy Cox responded to an anonymous complaint of subjects aboard the vessel "Oh-No", wringing crawfish tails, possessing over the limit crawfish, and failure to possess a valid Saltwater Products License. The officers were already familiar with the vessel due to a long history of trap robbing complaints lodged against the vessel and a physical arrest five years ago on the operator, Pablo Fundora, a 41 year old Marathon man, on charges of trap molestation. The "Oh-No", a 42' foot homemade commercial crawfish vessel, typically has a PWC onboard and it is suspected the PWC is utilized to conduct trap molestation, but when the officers located the "Oh-No" the PWC was not with the vessel. A thorough search of the "Oh-No" revealed no commercial product onboard; however,

the operator, Mr. Pablo Fundora, was found in violation of probation. As a result of his September 14, 1998, felony conviction for trap molestation, Mr. Fundora is required to contact the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement Regional Office anytime he was going to be on the waters of the state. Mr. Fundora failed to contact the FWC office as required and was arrested for his violation of probation. Pending further investigation, FWC officers are expected to take additional enforcement action as a result of this incident.

Sanctuary Officer Liz Reisz issued a citation to a North Miami Beach man while conducting a fisheries inspection on Long Key Bridge. The man was in possession of one 11" gag grouper, over the limit mangrove snapper, and 6 ornamental tropical fish all caught by hook and line. The man received a citation for the undersize grouper and warnings for the other violations.

Officer James Johnson issued a citation to an individual caught spear fishing within Bahia Honda State Park and also issued warnings for other resource violations. Officer Robert Brienza assisted.

On August 22, Officer Christopher Matson responded to Tropical Reef Resort, Islamorada reference the possible filleting of a billfish. Although the complaint was unfounded, an inspection of the rest of their catch revealed 32 yellow tail, 8 were undersize. Two Miami men were issued citations for possession of undersize yellowtail snapper and given warnings for the other resource violations. Apparently the subjects dumped the billfish carcass at the headpins prior to reaching the dock.

Sanctuary Officer Liz Reisz issued a citation to a Miami man while conducting a fisheries inspection at Channel Five Bridge. Although the fisherman had some legal fish, he also was cited for possession of one undersize, wrung crawfish tail.

Sanctuary Officer Scott LaRosa intercepted "Helen T," a commercial freighter transporting containers from Port Everglades to the Caymans. The officer stopped the vessel at the Elbow, Upper Keys, and issued a federal citation for operating within the "Area to Be Avoided." The violation can result in a \$100,000. civil penalty.

Officers Lowell Forehand, Steve Dion, and Brad Jones, patrolling in the "Orion" inspected a vessel just south of Man Key. FCIC indicated an active warrant issued out of Alachua County for one of the crew, a Key West man, on charges of felony possession of cocaine. A search revealed the subject was also in possession of less than 20 grams of cannabis and drug paraphernalia. The subject was cited for the violations, arrested and delivered to the Monroe County Jail, Key West. In addition, the subject received a citation for improper buoy display and a warning reference documentation numbers.

Sanctuary Officer Lance Burdette and Officer Torrey McAlpin on patrol at Sunshine Key, issued a citation to a California man for possession of undersize crawfish. At first the subject lied about possessing any crawfish, but eventually gave the officers his catch bag for inspection.

On August 23, Officer Christopher Mattson, while conducting a fisheries inspection, issued a citation to an Okeechobee man for possession of 11 over the bag limit of

mangrove snapper. The officer also issued warnings for failure to possess a Florida Salt Water Fishing License and other boating safety violations.

Sanctuary Scott LaRosa issued a federal citation to a Miami man for spear fishing inside the Molasses Reef SPA.

Sanctuary Officer David McDaniels cited a Tequesta man after he ran his sport fisherman aground on a sparsely populated grass flat off Basin Hills Shoal. The man from received a federal citation for causing minimal damage.

Officers Christopher Mattson, David Graham, Sanctuary Officer David McDaniel, and Pilot John Murphy responded to the report of an overdue subject believed to be missing from the Elbow Reef area of North Key Largo. A 74 year old man last contacted his wife at 9:00 PM the previous night and advised her he would set anchor and wait through the night before heading back. By noon the following day he had not returned home and the wife contacted FWC. Pilot Joe Martina and U. S. Coast Guard joined in the search effort. Search areas included a vast area and even the shoreline of Key Largo north to Miami. Approximately 2:30 PM the wife informed FWC dispatch that her husband had returned home safely. She was very appreciative of all the effort and apologized for causing any inconvenience.

On August 24, Sanctuary Officer Lance Burdette rescued an exhausted swimmer from Key West Harbor after the Miami man was unable to make it back to his boat.

Sanctuary Officer David McDaniel issued a citation to a man fishing within the Carysfort SPA. Warnings were issued for possession of numerous undersize grouper, failure to possess Florida Saltwater Fishing License, and other minor violations.

Officer Christopher Mattson conducted a vessel inspection at Barnes Sound resulting in citations being issued to a Miami man for possession of undersized and speared crawfish.

Sanctuary Officer Liz Reisz observed divers failing to display a divers down flag at Channel 5 Bridge. The officer approached them to talk about the dive flag violation and to ask if they had any spear guns. The divers repeatedly denied having any spear guns, but the officer noticed some gear hidden beneath the rocks nearby and discovered the diver's spear guns. A Hollywood man was cited for spear fishing in the Upper Keys and given a warning for the dive flag violation. The officer also issued a citation to a 16 year old from Davie who was diving inside Cheeca Rocks SPA. The fishing party had nets and tickle sticks and were in possession of an egg bearing crawfish. The juvenile was issued a federal citation for fishing within a SPA and warned for other violations.

Officer Robert Dube investigated a single vessel boating accident at Whale Harbor Channel where the operator, a Marathon man, along with his passenger were drag racing with another vessel parallel to the main channel. The operator lost control of the vessel and the vessel started tail walking just prior to nose diving into the water, ejecting both occupants. The operator and passenger did not know one another and the passenger was merely along for the ride, so when the boat sank and the situation was getting out of control, the unknown passenger left the scene. On lookers were unwilling to provide witness statements and the officer was only able to cite the operator for violation of a navigation rule, unsafe speed, resulting in an accident, however, the

passenger later contacted the officer and advised that he had broken ribs as a result of the accident and was willing to provide a statement that the operator was drag racing and operating in speeds in excess of 85 mph. Charges will be amended to reckless operation.

Immediately after this incident Officers Jay Marvin and Robert Dube responded to assist a diver in distress reported at the Eagle wreck. A diver who had been diving the deeper waters around the wreck had surfaced and was not breathing. The officers relayed the diver to shore at Holiday Isle where EMS personnel waited. The last update indicated the diver was still in critical condition.

Officer Wade Hefner responded to the report of a boating accident that occurred in South Sound Creek where two vessels collided nearly head on at Marker 13. The accident resulted when an outbound vessel thought an inbound vessel was passing on the wrong side of the day marker and did not allow enough room for the inbound vessel to maneuver. The inbound vessel, still under power after impact, continued at speed until it struck the thick mangrove perimeter, powered out of the water and came to rest completely inside the mangroves. The outbound vessel sank. Despite the amount of property damage, there were no injuries beyond first aid. The officer cited the operator of the outbound vessel for careless operation.

On August 25, Pilot John Murphy, while on air patrol in the area of French Reef, observed a commercial crawfish diving vessel with two subjects on board. After the boat slowed down, the pilot continued to conduct surveillance for approximately ten minutes and soon observed it going from trap to trap. Each time the boat stopped a diver entered the water, dove on the trap, and then reentered the boat before moving on to the next trap. Sanctuary Officer Scott LaRosa responded to investigate, but when he approached the men, they immediately fled in their vessel and then set down again a fair distance from the trap site. However, Pilot Murphy had a good visual on the trap and buoy and kept his eye on the trap until Officer LaRosa returned to inspect it. When Officer LaRosa stopped the vessel, he immediately observed the diver, Michael Guinovart, a 39 year old resident of Key Largo, had trap mud on the arm of his wetsuit from his wrist to his elbow. Before the officer started asking the men any questions, Mr. Guinovart told the officer he was diving for crawfish and he hadn't been robbing any traps. The operator of the vessel, also a Key Largo resident, was 37 year-old Jorge Villareal. They were in Mr. Guinovart's vessel, FL8607GX, a 1989 17' Troller.

After inspecting the trap, the officer noticed the mud inside the trap throat had evidence of being freshly disturbed, consistent with the action of inserting an arm through the opening. In addition, the men had homemade snares onboard the vessel. The snares were only one foot long with handles fashioned from aluminum strapping and the loop portion was made of thick, nylon line which could be useful for harvesting crawfish from small, confined areas such as a crawfish trap.

The owner of the trap, Walter Rentz, of Key Largo, was contacted and provided FWC with a statement confirming he gave no one permission to pull his traps. Both men were arrested for felony trap molestation and transported to the Monroe County Jail, Plantation Key. Officers Christopher Mattson and Wade Hefner assisted with processing evidence and transporting the subjects to the jail. The vessel and all gear was seized and notice of intent to forfeit upon conviction was initiated.

On August 26, Officer Wade Hefner and Sanctuary Officer Scott LaRosa responded to the report of an overdue rental vessel from HoBo's Marina with two adults and two

juveniles, due back at 1700 hours. At 1900 hours, the officers began searching the area from Mosquito Bank to the Everglades and Card Sound. Everglades National Park Rangers were also notified and dispatch attempted to acquire air assets to join the search. After two hours of searching, U. S. Coast Guard located the subjects between Rodrequez Key and Tavernier Key and towed then to safety into Harry Harris Park. Apparently the subjects had motored to Mosquito Banks then their vessel broke down. They were disabled for five hours and during that time, the subjects converted their bimini top into a sail and managed to "sail" their vessel the distance.

On August 27, Officers Martin Messier and Jason Reiff encountered a subject who initially appeared to be wanted on murder charges; however, the case of mistaken identity was eventually confirmed. The error is a result of two people using the same name, social security number, and date of birth. The victim in this case has been through incidents like this numerous times before and Monroe County Sheriff's Office is also familiar with the subject. MCSO is attempting to correct the situation with the entering agency.

On August 28, Officer Eric Steinmetz and Jay Marvin participated in an ongoing interagency detail with Monroe County Sheriff's Department and FDLE in response to a large number of boat motor thefts occurring on a regular basis. The previous night Officers Steinmetz and Christopher Mattson also participated in an all night detail focused on the Port Largo residential area. During the past 11 weeks, 7 vessels, each had 200 hp motors or more were stolen all within a three-mile radius. In addition, two of the 7 recovered vessels were found with long fillet knives on board with damage to the tip. It is believed the knives are used to start the engines. In addition to the recent 7 vessel thefts, during the past five months, over 50 motors have been stolen in the Upper Keys area. It is believed this boat theft ring might have evolved from another boat motor theft ring that plagued Monroe County in the past.

In the very early morning hours, approximately 0343, the officers were patrolling through the residential canal system of Port Largo when they observed a vessel outbound. When the officers attempted to intercept the vessel, the operator of the suspect vessel steered directly into a dock, snapping off a 4x6 wooden dock post on impact and the subjects exited the vessel and fled on foot. Officer Marvin pursued the fleeing subjects on foot while Officer Steinmetz assisted by illuminating areas with the patrol vessel's spotlight. Interagency radio communication had previously been established and Monroe County Deputies were alerted to the situation. Subsequently, only moments after the suspects fled on foot, deputies intercepted three white males in a white vehicle attempting to leave the residential area of Port Largo. The men detained matched descriptions the officer's provided after observing the two men fleeing from the vessel. The exact time line chronology of events beginning with the vessel stop, the subjects fleeing, and the vehicle departing led to the arrest.

Officers discovered evidence onboard the vessel, a Hydrosport with three 225 Yamaha outboard engines. On the center console was a knife with a piece of the vessel's ignition stuck to it, a pair of sharp needle nose pliers lying on the deck behind the center console, only two kill switches were engaged, and only the center engine was operating when the officers inspected it. The vessel had been stolen just a few hours prior from a nearby house. Three Miami men, in their early twenties, were arrested and the case was turned over to Monroe County Sheriff's Department for further investigation.

During the past week, Pilot John Murphy continued assisting Sanctuary and FWC efforts to identify areas of illegal habitat crawfish diving and providing data on numerous suspect boats. He documented several commercial boats working traps with aerial display violations, and generated BOLO's. In addition, he observed a SPA violation at Conch Reef and called in a sanctuary officer who responded and issued a warning to the fisherman.

Pilot John Murphy was also instrumental in assisting the Orion crew, Officers Brad Jones, Lowell Forehand, and Steve Dion, in locating an area where crawfish traps without trap tags were being worked by a commercial vessel. During the past week, the officers were keeping tabs on a suspect commercial crawfish vessel harvesting commercial quantities of crawfish without possessing any valid trap tag certificates. More suspicious was the fisherman's claim he was harvesting during the daytime solely by bully netting. On August 27, Pilot Murphy located the suspect vessel working traps off Woman Key, west of Key West and directed the Orion crew to the vessel's position. Based on observations made by the pilot, the Orion crew was able to make a case involving numerous commercial fishing violations. Over 50 crawfish traps failed to have permanently affixed trap tags and numerous other violations including improper aerial buoy display, failure to have crawfish number permanently affixed to the trap, improper buoy markings, possessing traps belonging to another, and other resource violations. The fisherman, a long time resident of Key West, is subject to heavy civil penalties for the trap tag violations and is subject to a suspension of his Salt Water Products License for the remainder of the licensing year, pending the outcome of the investigation. 161 pounds of illegal crawfish were seized and sold at a local fish house for \$684.25. Additional charges are pending further investigation.

## **Collier County**

On August 21, Officer Felix Colazo and K-9, Harley, hosted a 2 hour presentation to 35 people at the Collier Sportsman Conservation Club in Naples. The officer demonstrated K-9 wildlife detection utilizing hidden deer meat and "Harley" located the hidden deer meat much to the crowd's amazement.

On August 23, Officer Felix Collazo received a complaint of subjects trespassing on Corsica Road in a wildlife management area. He discovered a white chevy pick up truck and no one nearby. Officer Collazo deployed K-9, Harley, who tracked and located 2 Immokolee men in possession of five bags filled with saw palmetto berries, each bag contained 100 pounds of berries. The market price for the berries is twelve cents per pound. The men admitted they had been harvesting the berries all day long. The officer issued a warning for trespassing.

Lieutenant Wayne Maahs responded to an alligator complaint in North Windemere, Naples. An alligator, less than 4 feet in length, apparently was utilizing a private swimming pool as habitat. The officer captured the alligator and relocated it to safe habitat.

On August 24, Officer Shelby Williams assisted Collier County Sheriff's Office at the scene of a vehicle accident involving two injured adults and one infant, less than 5 months old, who had been ejected from the vehicle.

On August 25, Officer Greg Stastny encountered subjects diving four miles off shore Collier County without a divers down flag displayed. While the officer was writing them a citation for the dive flag violation he continued to ask them if they had been spear fishing. While the subjects insisted they had not been spear fishing, the officer inspected a spear gun on board the vessel. The spear gun was charged and loaded with both bands and was soaking wet. The individuals finally confessed they had been spear fishing and the officer issued another citation for violating the county ordinance prohibiting spear fishing within nine miles of the Collier County shoreline.